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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,505	02/01/2002	Sudhendu Rai	D/A1472 (1508/3540)	8789

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EXAMINER
RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
10/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 June 2007*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) *4-6 and 28-30* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,7-27 and 31-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-3, 7-27 and 31-33 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hill (Pub. # 20030041765).

Regarding claim 17, Hill (Pub. # 20030041765) discloses a system (See

Figure 1) that includes a server (computer, See Figure 1, Element 12; Page 1,

Paragraph 0009), which has a modeling module (included within the print agent,

See Figure 2, Element 28) for receiving modeling parameters from a plurality of

remotely located print shops (receives bids from print shops, See Page 2,

Paragraph 0019, such that the bids include the time period to complete the job,

cost, etc., See Page 2, Paragraph 0018) and generates model output data

(selects the successful bid based on the criteria received, See Page 2,

Paragraph 0020), such that the modeling module is configured to perform model

hypothetical studies based on the modeling parameters (prior to selecting the

optimal bid, the print agent uses cost, time to complete the print job, proximity,

etc. as a factor in the final selection, See Page 2, Paragraph 0021).

Regarding claim 18, Hill (Pub. # 20030041765) discloses that the modeling parameters include print shop organization information (parameters from the user-selected attributes such as the time to complete the print job, See Page 2, Paragraph 0019).

Regarding claim 19, Hill (Pub. # 20030041765) discloses that the print shop organization information includes information regarding at least one cell composition (a print shop and its proximity, See Page 2, Paragraph 0020) and the equipment available in each cell (layout and format features that the user instructed, See Page 1-2, Paragraph 0014, that are used within the printing services of the print shop, See Page 2, Paragraph 0017, and sent to the print agent, See Page 2, Paragraph 0019).

Regarding claim 20, Hill (Pub. # 20030041765) discloses that the print shop organization information includes the production costs per unit time used for each resource (cost to complete the job, See Page 2, Paragraph 0018).

Regarding claim 21, Hill (Pub. # 20030041765) discloses that the modeling parameters include print job requirements (requirements used to bid and output the print job, See Page 2, Paragraph 0018).

Regarding claim 22, Hill (Pub. # 20030041765) discloses that the print job requirements include information regarding the number of pages in each item (number of copies for the print job, See Page 1-2, Paragraph 0014).

Regarding claim 23, Hill (Pub. # 20030041765) discloses that the model output data includes cost of the print job (See Page 2, Paragraph 0020).

Regarding claim 24, Hill (Pub. # 20030041765) discloses that the server includes a design module (included within the print agent) adapted to receive print shop organization information (the performance information for each print shop, See Page 2, Paragraph 0018) and to generate suggested print shop organization revisions from each print shop (generate suggestions, or criteria, in order to determine which print shop should output the print data, See Page 2, Paragraph 0019-0020).

Regarding claim 25, Hill (Pub. # 20030041765) discloses that the server further includes a reorganization module (included within the print agent) adapted to receive parameters regarding a change in the print job mix at each print shop (whether the print shop is able to complete the print job set by the user, See Page 2, Paragraph 0019) and to generate suggestions for reorganizing each print shop (if more than one print shop is able to complete the print job, the user is able to suggest the organization for outputting the print job at the print shop, See Page 2, Paragraph 0022).

Regarding claim 26, Hill (Pub. # 20030041765) discloses that the system is adapted to receive the modeling parameters via the Internet (See Figure 1; Page 2, Paragraph 0017).

Regarding claim 27, Hill (Pub. # 20030041765) discloses that the system us adapted to receive the modeling parameters via a web based connection (a network connection, See Figure 1; Page 2, Paragraph 0017).

Regarding claim 31, Hill (Pub. # 20030041765) discloses a design module (included within the print agent) adapted to receive performance data for

equipment and operators in each print shop (the performance information for each print shop, See Page 2, Paragraph 0018), and a database (memory) for saving the performance data, so that the design module is adapted to retrieve the it from the database and analyze the performance data to determine suggested print shop changes (temporarily stores the information if the print shop performance data falls within the user set attributes, See Page 2, Paragraph 0019, so that it is able to be analyzed later in order to determine which print shop should output the print data, See Page 2, Paragraph 0020-0021).

Regarding claim 32, Hill (Pub. # 20030041765) discloses that the design module is adapted to forward the suggested print changes to each print shop (once the successful bid from a print shop is selected, the chosen print shop is forwarded the print job to output it according to the user-selected attributes, See Page 3, Paragraph 0024).

Regarding claim 33, Hill (Pub. # 20030041765) discloses a reorganization module (included within the print agent) adapted to determine suggested print shop organization revisions based on parameters for a mix of print jobs and upon each current print shop organization (if more than one print shop is able to complete the print job, the user is able to suggest the organization for outputting the print job at the print shop, See Page 2, Paragraph 0022).

Regarding claims 1-3 and 8-16, the rationale provided in the rejection of claims 17-23, 26-27 and 31-33 is incorporated herein. In addition, the system of claims 17-23, 26-27 and 31-33 corresponds to the method of claims 1-3 and 8-16 and performs the steps disclosed herein.

Regarding claim 7, Hill (Pub. # 20030041765) discloses forwarding the model output data to each respective remote print shop (a bid request is sent to each print shop, See Page 2, paragraph 0016, that includes pre-defined criteria such as the cost and time to complete the print job, See Figure 3; Page 2, Paragraph 0015).

Response to Arguments

Applicant argues that Smirnov and Flight do not disclose any of the limitations being claimed. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of Hill as disclosed within the rejection above. It is also noted that since the applicant amended (i.e., amendment filed 3 January 2007) by amending claims 1, 7-8, 10, 14-17, 20, 24-25 and 31-33 in response to the Non-Final Office Action mailed on 2 August 2006, this Final Office Action is proper.

Based on these facts, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing
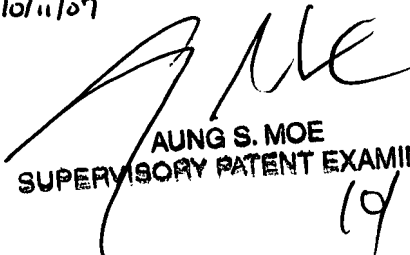
date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Vincent M. Rudolph whose telephone number

is (571) 272-8243. The examiner can normally be reached on Monday through

Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

VMR
lo/ll/07

AUNG S. MOE
SUPERVISORY PATENT EXAMINER
(9/11/07

Vincent M. Rudolph
Examiner
Art Unit 2625